

ALLEN'S SCHOOL BILL

It Passes the House by a Unanimous Vote.

A NEW FISH AND GAME BILL.

The Bill Requiring Railway Companies to Post the Time of the Departure of Trains Goes Through.

The sessions of both houses were brief yesterday.

In the Council Mr. Hall introduced C. P. 27, which provides for the amendment of section 3383 of the compiled laws, by adding the following: "Any action, proceedings or matter, referred, may be brought on for trial or hearing by either party on fifteen days notice to the other party and to the referee of the time and place of trial or hearing; subject to such postponements and continuances as might be obtained were the trial before the court or jury."

He also introduced C. P. 26, which provides that all of section 3373, of the compiled laws of 1888, and also that the last five lines of section 3373 of the same laws, beginning with the word "the" and ending with the word "law," be repealed and the following substituted in lieu thereof: "In all trials by jury in civil proceedings, the jury may render, in their discretion, either a general or special verdict; and in any case in which they render a general verdict, they may be required by the court and must be so required on request of any party to such action, to find specially upon any material question or questions of fact which shall be stated to them in writing by the court; which questions of fact shall be submitted by the party requesting the same to the adverse party before the commencement of argument to the jury. Submitting or refusing to submit a question of fact to the jury when requested by a party as hereinbefore provided may be excepted to and be reviewed on appeal as a ruling on a question of fact. When the special finding of fact is inconsistent with the general verdict, or the former shall control the latter, and the court must give and render judgment accordingly."

In the House no bills were introduced save a substitute for H. F. 10, the fish and game law, which reads as follows: "Sec. 1.—That the governor of the territory shall nominate and by and with the advice and consent of the Council, appoint a territorial fish and game commissioner, who shall be a resident citizen of this territory, and whose term of office shall be for two years, and until his successor is appointed and qualified; provided, that when a vacancy occurs in the office of said commissioner, and the council is not in session, the governor shall have power to fill such vacancy. Section 2.—That said territorial commissioner shall receive an annual salary of \$350, which said salary shall be in lieu of an expense he may incur as said commissioner. He shall, before entering on the duties of his office, take and subscribe to an oath of office and give a bond in the penal sum of \$5,000 for the faithful performance of such duties, such bond to be filed with the secretary of the Territory. Section 3.—The territorial commissioner shall have control and supervision of the public waters, pertaining to the collection, propagation, culture and distribution of fish and game in Utah territory, shall distribute all fish, fish fry or spawn coming into his hands fairly and equitably among the several counties, or otherwise, as the said commissioner thereof may determine. He shall have full control of all persons employed and of all property of the Territory obtained or withheld for the purposes contemplated by this act. He shall receive all fish, fish fry or spawn donated to this territory from any source whatever, also all fish, fish fry or spawn that may be purchased by the territory. He may establish hatcheries for the preservation and hatching of species and in the most economical and practical manner procure and distribute fish for the public waters of this territory. He shall make a detailed statement or report of his official transactions, including expenditures and the purpose for which the same were made; also, the number and kinds of fish distributed, and the locality and names of the streams, ponds or lakes where the same have been placed, and submit such report to the Legislature during the first week of its regular session. Section 4.—The county court of each county in this territory shall appoint a fish and game commissioner, whose term of office shall be for four years and until his successor is appointed and qualified. Said county commissioner shall, before entering upon the duties of his office, take and subscribe to an oath of office and give a bond in the penal sum of one thousand dollars for the faithful performance of his duties, said bond to be filed with the probate judge. The county commissioner shall receive such compensation as shall be determined by the county court, to be paid out of the county treasury, and shall perform his duties under the direction of the county court. It shall be the duty of the county commissioners to see that all the laws of this territory for the protection of fish and game are faithfully enforced, and shall report his doings to the county court quarterly. All fines and forfeitures for violation of the provisions of this act shall be paid into the county treasury of the county wherein the offense shall have been committed."

Section 5.—The said commissioners may take or cause to be taken from the public waters within their respective counties, at any time or in any manner, any kind of fish for the purpose of propagation or inspection. Each of said county commissioners shall make a detailed report of his official doings to the territorial commissioner during the first week in December of each year.

Section 6.—The owner or owners of any dam erected across any of the streams within this territory, shall if required by the county fish commissioner build, erect and maintain at all times at his or their expense, suitable fish ways to allow the free and unimpeded passage of fish up and down said stream.

Section 7.—It shall be unlawful for any person or persons to catch, kill or take any imported fish from the public waters of this territory for the period of four years after the passage of this act, unless duly authorized by the joint commissioner of the territory and county commission.

Section 8.—It shall be unlawful for any person or persons to take any trout from the public waters of this territory by any means or device whatsoever which can or may be used for the unlawful taking of fish, for the period of four years, except by means of hook and line, commonly known as angling, only between the 1st day of June of each year and the first day of March following.

Section 9.—It shall be unlawful for any person or persons to catch, kill, destroy or have in his possession, any trout less than

six inches long, or any trout whatever that is taken unlawfully.

Section 10.—It shall be unlawful for any person or persons of this territory by the use of any poison, deleterious drug, or by the use of any explosive substance, or by the use of any weir, dam or other artificial obstruction, or by the use of any net, sieve or device whatsoever, which can or may be used for the unlawful taking of fish; provided, that seines not more than two hundred yards long and twelve feet wide, with meshes not less than one and one-half inches square for fifty yards in the centre, and meshes not less than two inches square in the wings or ends thereof, may be used in Green river, Bear and Utah lakes, only between the 1st day of October of each year and the 1st day of March following.

Section 11.—It shall be unlawful for any person or persons between the 1st day of April and the 1st day of October of each year, to willfully take, kill, destroy or cause to be taken, any wild geese, ducks, grouse, quail or partridge, or to kill any of the above mentioned birds between one hour after sunset and one hour before sunrise, or to rob the nests of or otherwise disturb the above mentioned birds.

Section 12.—It shall be unlawful for any person between the 1st day of December of each year and the 1st day of September following to take, kill or destroy any deer, elk or mountain sheep, or at any time to kill any of the above animals for their skins, and it shall be unlawful for any person or persons to export for sale or consumption, either alive or dead, any of the game mentioned in the foregoing sections to any point outside of the territory.

Section 13.—Any person convicted of killing or destroying fish in any of the public waters of this territory by means of gun powder, quick lime or any other explosive, shall be fined not less than ten nor more than three hundred dollars, or be imprisoned in the county jail not less than ten nor more than three hundred days, or both such fine and imprisonment.

Section 14.—All seines, nets, boats or tackle of any kind found in the possession of any person who may be found unlawfully taking fish from any of the public waters of this territory shall be seized by the officer making the arrest, and if it appears from the evidence before the magistrate trying the case that the seines, nets, boats, or tackle were used, or were about to be, or intended to be used, for the unlawful taking of fish, the same is hereby confiscated and shall be by the order of the magistrate, taken and destroyed.

Section 15.—It shall be unlawful for any person to export dead or living fish caught in any of the public waters of this territory to any point outside of this territory for consumption or sale.

Section 16.—The sum of \$700 be and the same is hereby appropriated out of any money in the territorial treasury not otherwise appropriated, to pay the salary of the said territorial commissioner for the years 1890 and 1891.

Section 17.—The sum of \$5,000 be and the same is hereby appropriated out of any money in the territorial treasury not otherwise appropriated, to be expended by the territorial fish and game commissioner, for the establishment and maintaining of a territorial fish hatchery, hatching boxes, nurseries, and breeding ponds and to pay the contingent expenses of the office of the territorial fish and game commissioner for the years 1890 and 1891.

Section 18.—Any person or persons violating any of the provisions of this act shall be deemed guilty of a misdemeanor.

Section 19.—All laws in conflict with this act are hereby repealed.

THE COUNCIL.

When the Council convened yesterday afternoon a communication from the House announced the passage of H. F. 13, a bill to authorize county recorders to furnish abstracts of mortgages to assessors. The bill was read by its title and referred to the committee on ways and means.

Another communication from the House announced the passage of C. P. 7, the bill amending the code of civil procedure, with a few amendments. The amendments were concurred in and the bill passed and was referred to the committee on judiciary.

COLLETT'S SCHOOL BILL.

Mr. Hatch introduced a resolution to instruct the printing committee to print copies of C. P. 24, Collett's school bill, printed for the use of the Council and House. The resolution was adopted.

ON SPECIAL VERDICTS.

Mr. Hall introduced C. P. 26, a bill relating to general and special verdicts by jury and providing conditions and special verdicts may be required. After having passed its first reading the bill was referred to the committee on judiciary.

THE POWER OF REFERES.

Mr. Hall also introduced C. P. 27, a bill relating to the power of referees. Referred to the committee on judiciary.

AS TO INJUNCTIONS.

C. P. 25 was introduced by Mr. Hall and referred to the committee on judiciary. The bill provides that an injunction shall not be granted except upon notice or upon an order to show cause, but in the meantime the court may restrain or restrain until the decision of the court judge granting or refusing the injunction. Section 3383 of the present act is amended by inserting the words "granting" and "and" the words, "a restraining order or."

A communication from the House announced the passage of C. P. 5 with amendments. Hall of the House announced and recommended that the Council concur in the amendments and that the bill be put on its passage. The amendments were called, and the bill, after its long session of amendment, has finally become a law, if not vetoed by his excellency. The bill is for the incorporation of building and loan associations.

On motion, the Council then adjourned until Tuesday afternoon.

THE HOUSE.

Mr. Thurman, from the judiciary committee, reported on H. F. 41, relating to the adoption of children, and recommended that it be put upon its passage. Adopted. A favorable report was also made on H. F. 43, amending the code of civil procedure.

FISH AND GAME.

Mr. Porter, from the committee on fish and game, reported on H. F. 8, a bill to provide for the protection of fish and game, handing in a substitute therefor. The substitute was adopted.

ON PUBLIC HEALTH.

Mr. Russell presented a report from the committee on public health, recommending that H. F. 19, a bill relating to the sale of cigarettes, etc., to minors, be put upon its passage. Adopted.

THE CONFERENCE COMMITTEE.

Mr. Kimball handed up the report of the conference committee on C. P. 4, in which the members of the House agreed to recede from some of the amendments made.

RELATING TO JURORS.

Mr. Hammond introduced H. F. 46, a bill amending section 3609, in relation to jurors. It exempts dentists from jury service.

THE UTAH REPORTS.

H. J. R. 2, authorizing the purchase and distribution of seventy-five copies of the Utah reports, was read the second time.

THE ADOPTION OF CHILDREN.

H. F. 41, a bill amending 3576 of the compiled laws, in relation to the adoption of children, was read the second time.

H. F. 43, amending the code of civil procedure, was read the second time.

H. F. 19, the cigarette bill, was read the second time.

THE PROBATE COURT BILL.

C. P. 15, authorizing the probate court to grant orders without publication in certain cases was passed.

THE RAILWAY BILL.

C. F. 2, requiring railroad train dispatchers to make public the time of departure of trains, came up on the third reading.

Mr. Williams wanted to strike out the enacting clause. It was impossible under the existing "rules" of the average railway company to find out whether a train was ten minutes or ten hours late. He is not sure.

Mr. Reid said he would be in favor of the bill if he thought it would accomplish anything, but he did not think it would.

Mr. Williams' motion was lost and the bill passed—aye, 14; nays, 4. It is as follows:

Section 1.—He enacted by the governor and legislative assembly of the territory of Utah: That it shall be the duty of every train dispatcher of the several railroad companies now or hereafter running passenger trains in this territory, to cause to be made public by a bulletin board at every telegraph station within its respective jurisdiction, not less than fifteen minutes before the scheduled time of departure of each train carrying passengers, the time of such departure on a bulletin board placed in a conspicuous and public place. If from any cause the departure of any such train is delayed, then the cause and probable duration of such delay shall at once be bulletined.

Section 2.—Every train dispatcher failing to furnish the information required in the preceding section to the station agent at every telegraph station within his jurisdiction, and every such station agent failing to make public the information so furnished as herein provided, is guilty of a misdemeanor.

Section 3.—Each and every company or corporation running and operating railway trains and carrying passengers within this territory shall, in addition to the station agent, employ a train dispatcher, who shall be a resident of the territory, and shall be in charge of the moving of passenger trains, to make public in the manner provided in section 1 of this act, the information required therein. A failure so to do shall make the company or corporation so failing liable for all damages and costs that may be sustained by any person by reason of such failure, the same to be determined before the nearest court having jurisdiction, and to be collected, in case payment is refused, by attachment and sale of any company property which can be found.

ALLEN'S SCHOOL BILL PASSES.

H. F. 13, Allen's school bill, came up on its third reading. By a unanimous vote it passed. It is a bill to amend the code of civil procedure, so that it may be better understood.

Adjoining until Tuesday at 2 p. m.

THE LEPER SETTLEMENT.

A Salt Lake Talks of His Visit to the Isle of Despair.

In your issue of the 1st inst. in referring to a series of lectures to be published from the leper colony on the Sandwich Islands, it says that the correspondent, E. A. Phillips, "is the only white man ever visited the place, except Father Damien."

To correct that statement, I would say that while on my last mission to the Sandwich Islands, by permission of Mr. Myers, agent of the board of the Hawaiian Kingdom, I visited the leper settlement on the island of Molokai and was the guest of Father Damien, by his invitation, for two nights and one day.

The governor of the leper settlement, Mr. Ragdale, a half white, but a few days previous to my arrival had succumbed to that loathsome disease, leprosy, and Father Damien was in temporary charge of that portion of the island where the lepers were located.

As much has been written and published in the newspapers of late concerning Father Damien, I wish to state that while I visited that afflicted colony in the capacity of a Mormon elder, and conversing with him upon religious and other subjects until late in the evening, I found him to be a gentleman in every sense of the word, kind and affable, not a sentence uttered to cause the least degree of bad feeling.

During our conversation he remarked to me that he feared the seeds of that loathsome disease were already in his blood, and that but a few short years would consume his life, and that he was not sure he would live long enough to see the day when he would be able to return to his native land.

By his invitation I accompanied him on his daily visit through the various wards of the hospital. There were nearly one hundred patients who were almost entirely helpless; some whose fingers and toes were completely rotted off, others completely covered with sores, quite a number perfectly blind, and two or three wards occupied by boys and girls ten to fifteen years of age separated from their parents, waiting impatiently for their suffering, death, to relieve them of their suffering.

Before completing our round I informed my guide that I had seen enough and did not wish to follow him to his death. The time having arrived for me to take my departure I thanked my kind host for his generous hospitality and courteous attention to me, and on January 28, 1878, I bade Father Damien and the leper settlement on the island of Molokai farewell.

H. P. RICHARDS.

SALT LAKE CITY, February 8, 1890.

IN COURT CIRCLES.

Proceedings in the District and Probate Courts yesterday.

A brief session of the district court was held yesterday, at which the following business was transacted:

Sarah Rhode vs. Thomas S. Snarr et al., motion for a new trial overruled; exception taken.

Jessie Bell vs. Charles D. St. George; demurrer overruled; exception taken.

Lorenzo Needham et al. vs. Salt Lake city et al., set for Saturday, February 15.

William M. Perry vs. Andrew Lundin et al., demurrer to complaint argued and submitted.

Thomas M. Thompson, of Sanpete, was admitted to citizenship.

Probate Court.

In the matter of the estate of Richard Golightly, deceased; order made admitting to probate document, filed in the court, as the last will and testament of deceased, and appointing Elizabeth Connolly administratrix, with will annexed, upon filing a bond of \$5,000.

Estate of Joseph McKay, deceased; continued to February 22, at 10 a. m.

Estate of Helen H. Haight, deceased; order appointing F. H. Haight administrator upon filing a bond of \$5,000.

Estate of John T. Thompson, deceased; order made appointing Mary Thompson administratrix, with will annexed, upon filing a bond of \$300.

Estate of Daniel Gann, deceased; March 10 at 10 a. m., appointed to hear petition of James Briggs and James Johnston, both claiming to be entitled to a deed of conveyance of certain described real estate.

Estate of John T. Thompson, deceased; continued to March 4 at 10 a. m.

THE ELITE RESTAURANT.

has reopened at 28 West First, South. Everything new, neat and clean. Merchants' lunch from 12 till 2, 25 cents. Short orders at all hours. Dinner from 4 to 8 p. m., 50 cents.

WILL PRICE, Manager.

CA CARD.

I have this day sold my millinery business at 33 East, First South street, to Reckmeyer & Co., of St. Louis, Mo. Thanking my friends and patrons for the very liberal patronage accorded me, would respectfully solicit the same for my successors.

A. RUMEL.

SALT LAKE CITY, February 8, 1890.

TERRITORIAL TOPICS.

The Recent Municipal Election Held at Kaysville.

A DREAD DISEASE AT FILLMORE.

Some Social Events—Theatrical Entertainments—The Millard Stake Academy—Heber Happenings.

The snow has almost entirely disappeared. The warm rays of the sun reminds one very much of spring.

The sugar famine is materially felt here, our merchants not being able to supply the demand.

Dr. Hodges, dentist of Salt Lake city, has been staying here for the last few days.

Prof. Alexander, phonologist, was here last week, and delivered a series of lectures. He also examined the craniums of a large number of our citizens, and we are pleased to say we have material for making laws, doctors and congressmen in abundance.

The ball given at the academy on Thursday eve was a brilliant affair and reflects credit on the committee—O. C. Bennett, L. Sheffield, C. Boynton, Minnie Barnes and Alice Evans.

The butcher boys are putting up a large amount of ice. The ice this season is a little inferior, it being composed to largely of snow.

Barnes & Layton have made arrangements to have the result of the Salt Lake city election wired to them at different intervals during Monday which will be posted on the bulletin of the saloon.

The social party given by Miss Annie Ward, at the home of her parents last evening, was one of the most successful of the season. The evening was spent in feasting, games, music, singing, etc., and the young people enjoyed themselves hugely. The dance caused a great amount of fun. The whole was a most enjoyable event.

Yesterday was the last day of the second term at the academy. In the morning a very interesting programme was rendered and listened to by a number of the parents and friends of the students, who were gratified to see the marked progress being made in that institution of learning.

The municipal election held Monday afternoon after sunrise the judges took their seats and waited for their men. After a weary wait of two hours, in which the political aspect of Salt Lake was discussed, places were freely discussed, the first struggling voter put in an appearance, cast his vote and left. Toward noon it became apparent that certain parties were laboring very hard for the defeat of John Ellison for councilor, and the scratching of tickets that day was unprecedented in our city.

Ed Barlow, the person that was put up against him and the count showed Fred had a majority of five votes. The rest of the ticket was elected without opposition.

The Johnson Brothers dramatic company appeared here on Monday and Tuesday evenings. On Monday evening they presented the "Cretaceous" to one of the most enthusiastic audiences ever seen here and on Tuesday evening they presented "Better Than Gold" to a very large and very appreciative audience. Mr. Aaron Johnson as the Yankee in Cuba was a decided success, and the rest of the company are deserving of great praise for the able manner in which they rendered their parts.

The recitations delivered by Moses Johnson and Ella Cluff at the close of the play were well rendered, and the applause at their close showed how thoroughly they had been enjoyed. The general verdict is, the Johnson Brothers company is the best all round company that ever appeared here at Kaysville.

This is the first time they have appeared here, but we ask them to come again and often, and we will show them our patronage our appreciation.

KAYSVILLE, Feb. 8, 1890.

FILLMORE FINDINGS.

During the past few weeks Fillmore and the surrounding country have received more snow than at any previous season, and the farmers are suffering in their minds' eyes the loss of their cattle, and next harvest will bring, and stock men, their lamenting the loss of their cattle, etc., live in hopes of retrieving the ranges the long drought has driven them from. The present prospects are that our desert will yet blossom as the rose.

For some time there has been a dark cloud of trouble hanging over Fillmore which has been the cause of much suffering to the people to the loss of their children, who have been carried away by a disease resembling diphtheria but not so fatal. The destroyer of life has driven them from their homes, and the people are in the midst of the most terrible of afflictions, for a silver lining is now seen to the dreaded cloud.

The M. S. Academy has never before seen such a prosperous season, and the 150 students who have come from four counties and two territories and one state, to attend the academy are zealous in their efforts to store their minds with useful knowledge. The academy is working a reformation among the young in this territory, and the vineyard and improving society in general.

The Polysophical society (an appendage to the academy) is doing an interesting and beneficial by lectures given by those who are able to handle their subjects intelligently.

In the darkest hour of our affliction, the students and teachers of the academy fasted and prayed in behalf of the afflicted and much good was accomplished.

The pleasant weather makes the boys' muscles feel vigorous, and athletic sports are being indulged in with great interest.

Our mutual county conference assembled here Saturday and Sunday and the reports of the presidents of the various associations are that everything is in a prosperous condition.

FILLMORE, February 6, 1890.

Heber Happenings.

We have had beautiful spring weather the last two weeks. The snow is mostly all gone and the streets are drying very rapidly.

The second term of the Wasatch stake academy ends February 8. There is to be a picnic party given in the evening in honor of the occasion.

Our Home Dramatic association presented the play entitled, "Poiled," last Friday and Saturday evenings. Saturday evening, with few exceptions, the play went off very nicely. Miss Mary A. Giles, as Charlotte, and Mr. George Cluff, as Ralph Evans, certainly deserve credit.

President Hatch returned home on a short visit from Salt Lake city last Friday evening, where he has been during the last three weeks. He is accompanied by his wife, and by a representative of our county to the Legislature. As the governor, W. Taylor came with him to attend the stake conference which was held Saturday and Sunday last. He gave some splendid addresses, speaking with great spirit and earnestness, and in a special manner exhorting the young men to abstain from their evil habits and prepare for the great work that is before them.

HEBER, Feb. 6, 1890. BATAID.

NOTICE.

To all Organized Subgrants Throughout the Territory.

It is especially desired that you send immediately a report stating the number of members and the work accomplished during the past year, that our delegates may be able to report the same to the national convention to be held at Washington next month.

SARAH M. KIMBALL.

President.

RACHEL EDWARDS, Secretary.

Address: 55 N. West Temple street.

The Microbe Killer is a Sure Cure for "La Grippe," and a moderate use of it will act as a preventative of all such diseases. D. L. Davis, 70 W. 1st South st., agent for Utah.

THAT TERRIBLE "GRIPPE."

What It Really Is Explained by One of the Best Informed Men in America.

The president of one of the leading New York medical colleges, in conversation with the writer the other evening, said: "La Grippe," the Russian influenza, that has caused so much talk, is a more severe affliction than people usually think. It arises mysteriously and appears to have its origin in the atmosphere. The last time it visited America was in 1883, and it came then, as now, from Asia. The influenza comes from the suggestion that the malarial was due to the influence of the heavenly bodies, but more modern science has discovered that it is due to the changes in the electrical conditions. Whatever may be the cause, it is a strong congestion of the blood in vessels and mucous membrane, principally in the head and throat, and nothing but stimulants will check this congestion and keep the blood actively circulating. For this purpose I believe Dr. Fure's Pure Malt to be the best and purest remedy known to the world."

"Formerly the influenza was said to precede epidemic of the plague, and the person who was about to be taken with the latter, had as a preliminary, a fit of sneezing. Now it is a more terrible epidemic than the plague, namely, the influenza. Its beginning is slight, but its ending is often terrible. Pains in the limbs, a nervous feeling or lassitude, restlessness and head; a sore throat and lack of appetite; copious discharge of the nose; these are some of the symptoms of this dread disease. Upon the slightest approach of any of these symptoms, a nervous feeling or lassitude, rest should be had to a pure whisky, which is the only certain means of breaking up this epidemic before it becomes a hold upon the system, or when it has become started. Care should be taken, however, to secure only that which is pure, as the article above named certainly is."

The health boys are putting up a large amount of ice. The ice this season is a little inferior, it being composed to largely of snow.

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